



**City of  
Kalgoorlie  
Boulder**

# **MINUTES**

**of the ORDINARY Meeting of Council**

**held at 7:00PM**

**on**

**10 FEBRUARY, 2020**

**at the**

**Kalgoorlie Town Hall**

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**1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**

The Mayor declared the meeting open at 7:00pm welcoming the gallery and those present and recited the Acknowledgement of Country.

**2 OPENING PRAYER**

The opening prayer was conducted by pastor Larry Gibb of the Church of Christ.

**3 DISCLAIMER READING**

The Mayor will read the disclaimer to those present.

Please note this meeting is being recorded and streamed live on the Council's website in accordance with Council's Recording and Streaming of Council Meetings Policy, which can be viewed on Council's website.

All reasonable care is taken to maintain your privacy; however, as a visitor in the public gallery, your presence may be recorded. By remaining in the public gallery, it is assumed your consent is given if your image is broadcast.

The recommendations contained in this Agenda are Officer's Recommendations only and should not be acted upon until Council has resolved to adopt those recommendations.

The resolutions of Council should be confirmed by perusing the Minutes of the Council Meeting at which these recommendations were considered.

Members of the public should also note that they act at their own risk if they enact any resolution prior to receiving official written notification of Council's decision.

**4 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE (PREVIOUSLY APPROVED)****IN ATTENDANCE:**

Mayor John Bowler  
Cr Lisa Malicky  
Cr Deborah Botica  
Cr Laurie Ayers  
Cr Mandy Reidy  
Cr Gary Brown  
Cr Glenn Wilson  
Cr Pam Townsend  
Cr Nardia Turner  
Cr Linden Brownley  
Cr Dave Grills  
Cr Terrence Winner

**MEMBERS OF STAFF:**

|                    |  |
|--------------------|--|
| Mr John Walker     | Chief Executive Officer                          |
| Mr Stuart Devenish | General Manager Infrastructure & Environment     |
| Ms Michelle Todd   | Manager Governance & Legal                       |
| Mr Brett Killen    | Manager Information Communication and Technology |
| Ms Karen Theaker   | Governance Officer                               |

**VISITORS:**

2

**PRESS:**

1

**APOLOGIES – ELECTED MEMBERS:**

Nil.

**APOLOGIES – MEMBERS OF STAFF:**

|                    |                                     |
|--------------------|-------------------------------------|
| Mr David Trevaskis | General Manager Finance & Corporate |
| Ms Holly Phillips  | General Manager City Living         |

**LEAVE OF ABSENCE:**

Nil.

**5 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil.

**6 PUBLIC ACCESS AND PUBLIC QUESTION TIME****Public Access**

Nil.

**Public Question Time**

Ms Suzie Williams asked the following question.

Question

I ask that Council amend the Minutes of the Annual Electors Meeting, 'Other Business' on page 5, to change:

*The Mayor stated Ms Williams was invited to the reception and declined to attend, to:*

Ms Williams was not invited to the Civic reception for Mr Pandal.

Ms Williams was not invited to the Christmas Party for Elected Members.

No retiring Councillors, other than Mr Pandal, were acknowledged for their service to the City.

Ms Williams addressed Council regarding her request.

#### Response

The Mayor stated minutes are taken to accurately reflect what was said and what transpires at a meeting. Therefore, the Minutes from the Annual Electors Meeting cannot be amended to reflect Ms Williams' opinion or knowledge of what she believes occurred, as they would no longer reflect what transpired at the Annual Electors meeting.

The Mayor thanked Ms Williams for her question.

## **7 PETITIONS/DEPUTATIONS/PRESENTATIONS**

Nil.

## **8 NOTATIONS OF INTEREST**

### **8.1 INTEREST AFFECTING IMPARTIALITY CITY OF KALGOORLIE-BOULDER CODE OF CONDUCT**

Nil.

### **8.2 FINANCIAL INTEREST LOCAL GOVERNMENT ACT SECTION 5.60A**

Nil.

### **8.3 PROXIMITY INTEREST LOCAL GOVERNMENT ACT SECTION 5.60B**

Nil.

**9 APPLICATIONS FOR LEAVE OF ABSENCE****COUNCIL RESOLUTION**

**MOVED BY: CR MANDY REIDY**  
**SECONDED BY: CR NARDIA TURNER**

**That Council approve the leave request.**

**CARRIED**  
**(12/0)**

**9.1 APPLICANT: CR LAURIE AYERS**

Cr Laurie Ayers has applied for Leave of Absence from 17-19 February 2020 (inclusive) as he will be in Perth for a meeting, and 3-8 April (inclusive) for a family birthday.

**9.2 APPLICANT: CR GARY BROWN**

Cr Gary Brown has applied for Leave of Absence on 17 February 2020 as he will be in Perth on business.

**9.3 APPLICANT: CR GLENN WILSON**

Cr Glenn Wilson has applied for Leave of Absence from 16-18 February (inclusive) as he will be away for a work appointment.

**10 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSIONS**

|            |  |
|------------|--|
| 29/01/2020 | FULL CIRCLE PRESENTATION                                     |
| 29/01/2020 | ATTENDED FOCUS ON MINING FOR YEAR 11 GIRLS                   |
| 30/01/2020 | MET WITH WASM DIRECTOR SABINA SHUGG ON FUTURE PLANS          |
| 31/01/2020 | ATTENDED THE GVROC MEETING IN ESPERANCE                      |
| 03/02/2020 | MET WITH BHP REPRESENTATIVES FROM NICKEL WEST                |
| 03/02/2020 | ATTENDED THE GEDC PRESENTATION WITH CEO                      |
| 04/02/2020 | MET WITH BRENDON HAMMOND – CHAIR ROYALTIES FOR REGIONS TRUST |
| 08/02/2020 | ATTENDED SUNSET AT THE SOUNDSHELL                            |

**11 CONFIRMATION OF MINUTES**

**COUNCIL RESOLUTION**

**MOVED BY: CR NARDIA TURNER**  
**SECONDED BY: CR GARY BROWN**

**[Minutes of Ordinary Council Meeting held on 28 January 2020](#)**

That the minutes of the Ordinary meeting held on 28 January 2020 be confirmed as a true record of that meeting.

**CARRIED**  
**(12/0)**

**12 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil.

**13 URGENT BUSINESS APPROVED BY THE PERSON  
PRESIDING OR BY DECISION**

Nil.

**14 REPORTS OF COMMITTEES**

Nil.



## 15 REPORTS OF OFFICERS

### 15.1 GENERAL MANAGER – INFRASTRUCTURE AND ENVIRONMENT

#### 15.1.1 RATIONALISATION OF LAND TENURE ARRANGEMENTS – LIONEL STREET AND DELLAR PLACE, SOUTH KALGOORLIE

|                         |   |
|-------------------------|---|
| Responsible Officer:    | Stuart Devenish<br>General Manager Infrastructure and Environment |
| Author:                 | Cameron Sturges<br>Planning Officer                               |
| Disclosure of Interest: | Nil   |
| Owners Name:            | State of Western Australia  |

#### VOTING REQUIREMENTS

Simple

#### OFFICER RECOMMENDATION/COUNCIL RESOLUTION

MOVED BY: CR GARY BROWN  
SECONDED BY: CR LAURIE AYERS

That Council resolve, pursuant to:

1. Section 58 of the *Land Administration Act 1997*, to:
  - a) close a portion of Bartlett Place, South Kalgoorlie and advertise the road reserve closure for a period of 35 days; and
  - b) subject to no objections being received in relation to a) above, authorise the Chief Executive Officer to request the Minister of Lands to close the portion of the road;
2. Section 56 (2) of the *Land Administration Act 1997*, to request the Minister of Lands to dedicate the four (4) portions of land shown on the sketch as 'Road Dedications' in Figure 1 as road reserve;
3. Section 41 of the *Land Administration Act 1997*, to request the Minister of Lands to create a reserve for the purposes of 'Recreation and Drainage' on the balance of land bordered pink on the sketch in Figure 01; and
4. Section 46 of the *Land Administration Act 1997*, request the Minister of Lands to vest the Recreation and Drainage reserve to the City of Kalgoorlie-Boulder.

CARRIED  
(12/0)

#### EXECUTIVE SUMMARY

The purpose of this report is to resolve long standing land tenure anomalies around Lionel Street and Dellar Place. At present, there are portions of roadway that are constructed outside of road reserves. Similarly, this Crown land is used for drainage

and open space purposes.

A series of land administration actions are recommended to ensure road reserves are correctly aligned, and public open space reserves are created to reflect actual circumstances. Approval of the Minister for Lands is required to finalise the arrangements.

The changes will help protect the City's infrastructure and ensure proper ongoing management of land, and are recommended accordingly.

### **COMMUNITY STRATEGIC PLAN LINKS**

This report links to the Strategic Community Plan through the Community's Guiding Principles:

- Provide functional and appealing parks, gardens and streetscapes
- Plan for regulated sustainable land use and development

### **BUDGET IMPLICATIONS**

There are no financial implications resulting from the recommendations of this report.

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### **BACKGROUND**

There are a number of locations across the City where the City's management responsibility for roads and open spaces is not formally recognised. This can give rise to questions around legal responsibility and potentially native title issues. To resolve this, reports will be brought forward progressively with a view to ensuring correct land tenure arrangements are in place.

The Crown land subject to this report is currently held by the State Government. As the City maintains the land, it is in the City's interests to formalise the land tenure in favour of the City and thus request the Minister of Lands commence processes that will see the land vested in the City.

More specifically, land addressed in this report is recorded as Vacant Crown Land (VCL) (PIN 689148) under the *Land Administration Act 1997* and contains road and drainage infrastructure, underground services and trees planted by the City.

### **REPORT**

The proposed Crown land actions are depicted in Figure 1 and summarised as follows:-

- Close a small portion of Bartlett Place road reserve. This portion of road reserve is unconstructed and not formally used in the road network. The closed portion of road will be included in new public open space;
  - Dedicate as a road reserve the constructed portion of Boomerang Crescent that connects to Lionel Street. The newly dedicated portion of road reserve will formally be incorporated into Boomerang Crescent;
-

- Dedicate as a road reserve the constructed southern portion of Dellar Place that connects to Lionel Street. The newly dedicated portion of road reserve will be incorporated into Dellar Place;
- Dedicate as a road reserve a small portion of Vacant Crown Land at the northern end of Dellar Place. The Crown land will be incorporated into Dellar Place;
- Dedicate as a road reserve a small portion of Vacant Crown Land that currently forms a truncation of Lionel Street. The Crown land will be incorporated into Lionel Street; and
- Create three new public open space areas, into a single reserve, that will serve as passive public open space and contain drainage infrastructure.

As a result of these actions, approximately 2,431 m<sup>2</sup> of new road reserve will be incorporated into the City's road network, and an additional 8,826 m<sup>2</sup> of land will be included into the City's public open space network.

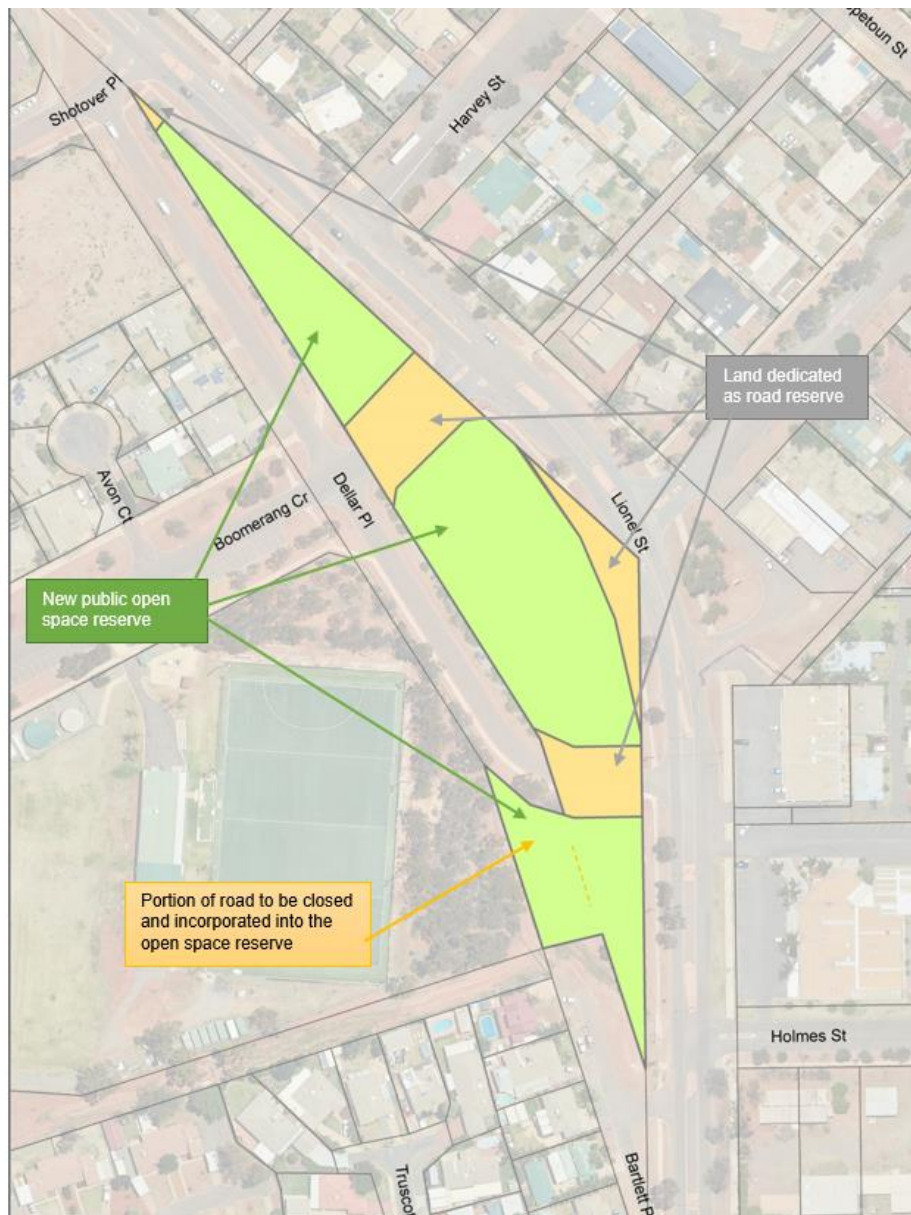


Figure 1: Proposed road closure, new open space and road dedication.

Crown land actions under the *Land Administration Act 1997* are required to achieve the creation of a Crown reserve and for the City to obtain a Management Order over the public open space areas and to perform road reserve actions. The actions required are briefly described as follows:-

#### *Road Closure*

Under section 58 of the *Land Administration Act 1997*, request the Minister of Lands to close a portion of Bartlett Place, South Kalgoorlie, and the land to be included into Public Open Space.

#### *Road Dedication*

Under section 56 (2) of the *Land Administration Act 1997* request the Minister of lands to dedicate four (4) portions of land shown on the sketch as 'Road Dedication' as road reserves.

#### *Reserve Creation*

Under section 41 of the *Land Administration Act 1997* request the Minister of Lands to create a Crown reserve for the purpose of 'Recreation and Drainage' for the balance land post road closure and dedications.

#### *Management Order*

Under section 46 of the *Land Administration Act 1997* Drainage to the City of Kalgoorlie-Boulder. The issuance of a Management Order in favour of the City will support long-term care and control of the site.

## **CONCLUSION**

The formal demarcation of constructed roads used in the City's local road network supports good governance of its assets and ongoing maintenance practices. Further, the creation of public open space reserves will protect the area of community use. The actions are recommended accordingly.

## **STATUTORY IMPLICATIONS**

The recommendations of this report are made in accordance with the *Land Administration Act 1997*.

## **POLICY IMPLICATIONS**

There are no policy implications resulting from the recommendations of this report.

## **COMMUNITY ENGAGEMENT CONSULTATION**

Public consultation will be undertaken in accordance with the statutory requirements of section 58 of the *Land Administration Act 1997* related to the road closure action. No further community consultation is required for the other actions in this report as the City is formalising a perceived public open space area.

**15.1.2 PROPOSED PARKING TIME LIMIT - CENTENNIAL PARK**

**Responsible Officer:** Stuart Devenish  
General Manager Infrastructure and Environment

**Author:** Gerard Sherlock  
Manager Infrastructure Services

**Disclosure of Interest:** Nil

**VOTING REQUIREMENTS**

Simple

**OFFICER RECOMMENDATION**

That Council resolve, pursuant to clause 3.1 of the *Parking and parking Facilities Local Law 2009*, to apply a 4-hour time restriction on parking at Centennial Park, with the exception of the 24-hour recreational vehicle (RV) rest area, and except during community events at the park.

**COUNCIL RESOLUTION**

**MOVED BY:** CR LISA MALICKY  
**SECONDED BY:** CR GARY BROWN

That Council resolve to refer the item to City officers to consider alternative long term parking options for workers in Kalgoorlie-Boulder prior to Council determining a 4-hour parking restriction at Centennial Park.

**CARRIED**  
**(12/0)**

**EXECUTIVE SUMMARY**

The purpose of this report is to recommend a time limit of 4-hours on parking at Centennial Park. This will avoid the parking area being congested with long-term parking of private vehicles for workers who are transported to remote worksites.

A 4-hour parking time (for all areas except the caravan area) will be sufficient for legitimate visitors to the park and is recommended accordingly.

**COMMUNITY STRATEGIC PLAN LINKS**

This report links to the Strategic Community Plan through the Community's Guiding Principles to deliver inclusive and accessible sport and recreation.

**BUDGET IMPLICATIONS**

Costs associated with signage is included in ordinary budget allocations financial implications resulting from the recommendations of this report.

**REPORT**

The City has established a Local Law that enables Council to regulate/restrict parking times. The purpose of restricting parking duration is to ensure the turnover of vehicles, improving availability of bays and increased number of visitors.

Under the requirements of the Local Law, a Council resolution is required to determine or vary parking conditions.

The parking area at Centennial Park is provided for park visitors, including those who frequent the coffee van. It has become apparent that the carpark is regularly used for long-term private vehicle parking for workers who are then transported to their workplace. The regular use of the carpark in this way is limiting the availability of parking area for legitimate users/visitors to Centennial Park.

To overcome this circumstance, a 4-hour parking time limit is recommended for the whole Centennial Park area that is accessible to vehicles, with the exception of the 24 hour recreational vehicle rest area. This will ensure reasonable time is provided for genuine visitors. It is also recommended the restriction not apply when community events occur at the park.

The restriction would be announced by way of a prominent sign at the entrance to the carpark.

**STATUTORY IMPLICATIONS**

There are no statutory implications resulting from the recommendations of this report.

**POLICY IMPLICATIONS**

There are no policy implications resulting from the recommendations of this report.

**COMMUNITY ENGAGEMENT CONSULTATION**

No community consultation was considered necessary in relation to the recommendations of the report.

**ATTACHMENTS**

10-C-032 Centennial Park Time Limitation for Parking Zone 

**15.2 GENERAL MANAGER – CITY LIVING****15.2.1 T009 19/20 OASIS NETBALL COURTS - ACRYLIC SURFACING**

**Responsible Officer:** Holly Phillips  
General Manager City Living

**Author:** Gerard Sherlock  
Manager Infrastructure Services

**Disclosure of Interest:** Nil

**VOTING REQUIREMENTS**

Simple

**OFFICER RECOMMENDATION/COUNCIL RESOLUTION**

**MOVED BY:** CR PAM TOWNSEND  
**SECONDED BY:** CR LINDEN BROWNLEY

**That Council:**

- 1. Award Tender number T009 19/20 Oasis Netball Courts – Acrylic Surfacing to Sport and Recreation Surfaces Pty Ltd for the sum of \$183,660.00 (Excl. GST); and**
- 2. Authorise the Mayor and CEO to sign the contract documents under the common seal of the City of Kalgoorlie-Boulder in accordance with part 19.1 (2) of the *Standing Orders Local Law 2013*.**

**CARRIED  
(12/0)**

**EXECUTIVE SUMMARY**

The purpose of this report is for Council to consider the offers received for Tender T009 19/20 Oasis Netball Courts – Acrylic Surfacing.

The public tender process led to two (2) submissions being received of which Sport and Recreation Surfaces Pty Ltd scored the highest and is considered the most advantageous.

**COMMUNITY STRATEGIC PLAN LINKS**

This report links to the Strategic Community Plan through the Community's Guiding Principles to ensure a sustainable asset and infrastructure base.

**BUDGET IMPLICATIONS**

The City's 2019/20 municipal budget for Oasis Building Flooring Works (COA 63328754) has \$288,500 (excl. GST) allocated for these works to be undertaken.

**REPORT**

The purpose of this report is for Council to consider the submissions received for Tender T009 19/20 Oasis Netball Courts – Acrylic Surfacing.

**Background**

At the 11 November 2019 Ordinary Meeting of Council the following was resolved:

*That Council:*

- 1. Approve the application of treatment option 2: 1 (one) layer of 25mm asphalt overlay with 3 layers of acrylic surfacing to the Goldfields Oasis Recreation Centre Netball Courts at an approximate cost of \$288,500 ex GST;*
- 2. Approve the installation of 200 LUX LED Lighting at the courts at a cost of \$54,000 ex GST, to be funded from budgeted funds for Sustainability Projects (building lighting); and*
- 3. Increase the City's 2019/20 municipal budget for Oasis Building Flooring Works (COA 63328754) by \$88,500 ex GST, to total \$288,500 ex GST, to be offset by operational savings achieved in the Road Renewal Programme (COA 70288964).*

*CARRIED BY ABSOLUTE MAJORITY (10/0)*

Following this resolution, a Request for Tender T009 19/20 Oasis Netball Courts – Acrylic Surfacing was advertised to the market on 11 January 2020 and closed 27 January 2020.

**Lighting Update**

The detailed design for the lighting upgrade is nearly complete. The City is working with the designers and suppliers to compile a comprehensive cost estimate as part of the scope prior to going to market.

**Tender Comments**

The tender documentation included several provisional items, namely two (2) coats of stain block sealer and a provisional sum of \$10,000. These items are not required, as they were obtained to inform Council of the operational and maintenance costs associated with the courts going forward, to accurately budget for future years.

A negative variation for \$63,220 (excl. GST) will be issued to the contractor prior to work commencing. This reduces the value of the works to \$120,380 (excl. GST).

**Tender Assessment**

Two (2) submissions were received for T009 19/20, being:

- Sport and Recreation Surfaces PTY LTD; and
- Sports Surfaces.



A panel of City officers assessed each tender submission. All submissions were assessed as correct and compliant with the City's 'Request for Tender' document.

Within the request for tender document, the schedule of quantities, rates and prices included the following to be addressed:

- Site establishment, earthworks, court pavement and general items;
- Miscellaneous items; and
- Provisional items.

#### Site Establishment, Earthworks, Court Pavement and General Items

Within this section of the schedule, expectation was for inclusion of preliminary works such as temporary fencing and traffic management and various management plans to commence works. It also included underground service detections and laying of the acrylic sports surface and line marking.

#### Miscellaneous Items

Installation of netball goal posts, finished survey level upon surface being laid and handover documentation.

#### Provisional Items

Laying of stain block sealer (\$53,220 excl. GST) and a provisional sum of \$10,000 excl. GST. The stain block sealer as noted above was an optional item, which is not required at this time.

Tenderers were assessed on the basis of the following qualitative criteria and weighting:

- Relevant Experience (25%);
- Demonstrated Understanding (25%); and
- Price (50%).

Price was deemed the most significant aspect to the qualitative criteria within the assessment. Equal weighting to relevant experience and demonstrated understanding was given because it is a specialised service, and understanding of the brief and capability to deliver prior to 6 March 2020 is critical to the project being successful.

Average aggregate score across the criteria are shown below:

| <b>Tenderers</b>                  | <b>A</b>      | <b>B</b>      |
|-----------------------------------|---------------|---------------|
| <b>Relevant Experience</b>        | 12.50%        | 11.67%        |
| <b>Demonstrated Understanding</b> | 11.67%        | 10.83%        |
| <b>Pricing</b>                    | 24.95%        | 25.05%        |
| <b>TOTAL weighted score</b>       | <b>49.12%</b> | <b>47.55%</b> |

**Tender Assessment- Panel Recommendation**

The submission provided by Sport and Recreation Services was considered by the panel to be the most advantageous and represents best value for money for the City.

Reference checks carried out by City officers were all satisfactory. Financial credit checks have also been carried out for risk management of contract signing and are satisfactory.

Accordingly, it is recommended that Council award the tender to Sport and Recreation Services Pty Ltd.

**STATUTORY IMPLICATIONS**

There are no statutory implications resulting from the recommendations of this report.

**POLICY IMPLICATIONS**

The tender process ensures Policy CORP-AP-001 relating to purchasing is satisfied. Further, the requirement for public tender where the aggregate value exceeds \$150,000 is complied with.

**COMMUNITY ENGAGEMENT CONSULTATION**

No community consultation was considered necessary in relation to the recommendations of the report.

**16 QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN**

Nil.

**17 INFORMATION BULLETIN****17.1 CHIEF EXECUTIVE OFFICER****17.1.1 INFORMATION ITEM 10 FEBRUARY 2020**

**Responsible Officer:** John Walker  
Chief Executive Officer

**Author:** Karen Theaker  
Governance Officer

**Disclosure of Interest:** Nil

**VOTING REQUIREMENTS**

Simple

**OFFICER RECOMMENDATION/COUNCIL RESOLUTION**

**MOVED BY:** CR GLENN WILSON  
**SECONDED BY:** CR DEBORAH BOTICA

That Council receive the information.

**CARRIED  
(12/0)**

**EXECUTIVE SUMMARY**

The purpose of this report is to keep Elected Members informed on items for information as received by the City.

**COMMUNITY STRATEGIC PLAN LINKS**

This report links to the Strategic Community Plan through the Community's Guiding Principles to demonstrate a transparent and inclusive local government.

**BUDGET IMPLICATIONS**

There are no financial implications resulting from the recommendations of this report.

**REPORT**

The City of Kalgoorlie-Boulder regularly receives and produces information for receipt by the Elected Members.

| <b>INFORMATION ITEM:</b> | <b>DATE:</b>  |
|--------------------------|---------------|
| Seal Register            | January 2020  |
| Facebook Statistics      | January 2020  |
| EGCC Meals Statistics    | January 2020  |
| Contract Variations      | January 2020  |
| Grant Register           | December 2019 |
| Letter of Appreciation   |               |

**STATUTORY IMPLICATIONS**

There are no statutory implications resulting from the recommendations of this report.

**POLICY IMPLICATIONS**

There are no policy implications resulting from the recommendations of this report.


**COMMUNITY ENGAGEMENT CONSULTATION**

No community consultation was considered necessary in relation to the recommendations of the report.

**ATTACHMENTS**

Seal Register 

Facebook Statistics 

EGCC Meals Statistics 

Contract Variations 

Grant Register 

Letter of Appreciation 

**18 CONFIDENTIAL ITEMS**

Nil.

**19 DATE OF NEXT MEETING**

The next Ordinary Council Meeting will be held on Monday 24 February 2020.

**20 CLOSURE**

There being no further business, the Mayor thanked the Councillors and staff for their attendance and declared the meeting closed at 7:20pm.